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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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| | | |
|------------------------------------------------------------------------------------------------|--|------------------------------------------------|
| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | | Application Number 09/718,717 |
| | | Filing Date November 22, 2000 |
| | | First Named Inventor JAKOBIVITS, AYA |
| | | Group Art Unit 1636 |
| | | Examiner Name T. McKelvey |
| Total Number of Pages in This Submission | | Attorney Docket Number ABGX001CON3 |

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1600 2900

ENCLOSURES (check all that apply)

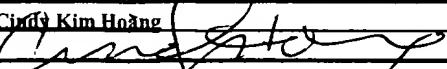
| | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to Group |
| <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Power of Attorney, Revocation | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Certified Copy of Priority Documents | <input type="checkbox"/> Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1) Request to Correct Filing Receipt (1 pg.) 2) Copy of Marked-Up Filing Receipt (3 pgs.) 3) Copy of Certificate of Correction Signed and Sealed on October 2, 2001 (1 pg.) |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application | <input type="checkbox"/> Terminal Disclaimer | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Request for Refund | |
| | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | |
|-------------------------|-------------------------------------------------------------------------------------|--|
| Firm or Individual Name | PAULA A. BORDEN, Reg. No. 42,344 | |
| Signature |  | |
| Date | March 7, 2002 | |

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: March 7, 2002.

| | | | |
|-----------------------|-------------------------------------------------------------------------------------|------|---------------|
| Typed or printed name | Cindy Kim Hoang | Date | March 7, 2002 |
| Signature |  | | |

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PTO/SB/17 (10-01)

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**OP FEE TRANSMITTAL
for FY 2002**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 1030.00)

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit overpayments to:

Deposit Account Number 50-0815

Deposit Account Name Bozicevic, Field & Francis LLP

Charge Any Additional Fee Required

Under 37 CFR 1.16 and 1.17

Applicant Claims small entity status.

See 37 CFR 1.27

2. Payment Enclosed:

Check Credit Card Money Order Other

FEE CALCULATION

2. **BASIC FILING FEE**

| Large Entity Fee Code (\$) | Fee (\$) | Small Entity Fee Code (\$) | Fee (\$) | Fee Description | Fee Paid |
|----------------------------|----------|----------------------------|----------|------------------------|----------|
| 101 | 740 | 201 | 370 | Utility filing fee | |
| 106 | 330 | 206 | 165 | Design filing fee | |
| 107 | 510 | 207 | 255 | Plant filing fee | |
| 108 | 740 | 208 | 370 | Reissue filing fee | |
| 114 | 160 | 214 | 80 | Provisional filing fee | |
| SUBTOTAL (1) | | | | | 0.00 |

1. **EXTRA CLAIM FEES**

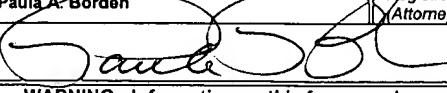
| Total Claims | 12 -20** | = | Extra Claims | Fee from below | Fee Paid |
|--------------------|----------|---|--------------|----------------|----------|
| Indep. Claims | 3-5** | = | x | = | |
| Multiple Dependent | | = | | | |

| Large Entity Fee Code (\$) | Fee (\$) | Small Entity Fee Code (\$) | Fee (\$) | Fee Description |
|-----------------------------|----------|----------------------------|----------|------------------------------------------------------------|
| 103 | 18 | 203 | 9 | Claims in excess of 20 |
| 102 | 84 | 202 | 42 | Independent claims in excess of 3 |
| 104 | 280 | 204 | 140 | Multiple dependent claim, if not paid |
| 109 | 84 | 209 | 42 | ** Reissue independent claims over original patent |
| 110 | 18 | 210 | 9 | ** Reissue claims in excess of 20 and over original patent |
| SUBTOTAL (2) \$ 0.00 | | | | |

***or number previously paid, if greater; For Reissues, see above.*

| Complete if Known | | | |
|----------------------|-------------------|--|--|
| Application Number | 09/718,717 | | |
| Filing Date | November 22, 2000 | | |
| First Named Inventor | JAKOBIVITS, AYA | | |
| Examiner Name | T. McKelvey | | |
| Group Art Unit | 1636 | | |
| Attorney Docket No. | ABGX001CON3 | | |

| FEE CALCULATION (continued) | | | | | |
|---------------------------------------------------------|-----------------------|-----------------------|-------------------------------------------------------------------------------|--|----------------------------------|
| 3. ADDITIONAL FEES | | | | | |
| Fee Code | Large Entity Fee (\$) | Small Entity Fee (\$) | Fee Description | | Fee Paid |
| 105 | 130 | 205 | 65 Surcharge – late filing fee or oath | | |
| 127 | 50 | 227 | 25 Surcharge – late provisional filing fee or cover sheet | | |
| 139 | 130 | 139 | 130 Non-English specification | | |
| 147 | 2,520 | 147 | 2,520 For filing a request for ex parte reexamination | | |
| 112 | 920* | 112 | 920* Requesting publication of SIR prior to Examination action | | |
| 113 | 1,840* | 113 | 1,840* Requesting publication of SIR after Examiner action | | |
| 115 | 110 | 215 | 55 Extension for reply within first month | | |
| 116 | 400 | 216 | 200 Extension for reply within second month | | |
| 117 | 920 | 217 | 460 Extension for reply within third month | | 920.00 |
| 118 | 1,440 | 218 | 720 Extension for reply within fourth month | | |
| 128 | 1,960 | 228 | 980 Extension for reply within fifth month | | |
| 119 | 320 | 219 | 160 Notice of Appeal | | |
| 120 | 320 | 220 | 160 Filing a brief in support of an appeal | | |
| 121 | 280 | 221 | 140 Request for oral hearing | | |
| 138 | 1,510 | 138 | 1,510 Petition to institute a public use proceeding | | |
| 140 | 110 | 240 | 55 Petition to revive – unavoidable | | |
| 141 | 1,280 | 241 | 640 Petition to revive – unintentional | | |
| 142 | 1,280 | 242 | 640 Utility issue fee (or reissue) | | |
| 143 | 460 | 243 | 230 Design issue fee | | |
| 144 | 620 | 244 | 310 Plant issue fee | | |
| 122 | 130 | 122 | 130 Petitions to the Commissioner | | |
| 123 | 50 | 123 | 50 Processing fee under 37 CFR 1.17(q) | | |
| 126 | 180 | 126 | 180 Submission of Information Disclosure Stmt | | |
| 581 | 40 | 581 | 40 Recording each patent assignment per property (times number of properties) | | |
| 146 | 740 | 246 | 370 For each additional invention to be examined (37 CFR § 1.129(a)) | | |
| 149 | 740 | 249 | 370 For each additional invention to be examined (37 CFR § 1.129(b)) | | |
| 179 | 740 | 279 | 370 Request for Continued Examination (RCE) | | |
| 169 | 900 | 169 | 900 Request for expedited examination of a design application | | |
| Other fee (specify) _____ Terminal Disclaimer Fee _____ | | | | | 110.00 |
| *Reduced by Basic Filing Fee Paid | | | | | SUBTOTAL (3) (\$ 1030.00) |

| SUBMITTED BY | | Complete (if applicable) | | | |
|-------------------|-------------------------------------------------------------------------------------|--------------------------------------|--------|-----------|----------------|
| Name (Print/Type) | Paula A. Borden | Registration No. (Attorney/Agent) | 42,344 | Telephone | (650) 327-3400 |
| Signature |  | | | Date | 03/07/2002 |

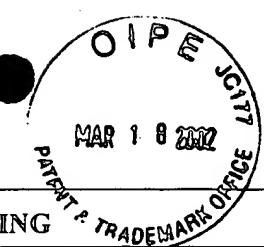
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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Atty Dkt. No.: ABGX001CON3

USSN: 09/718,717

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

| | | |
|-------------------------------------------------------------------|--------------------|-------------------------------------------------|
| Typed or Printed Name | Cindy Hoang | |
| Signature | <i>Cindy Hoang</i> | Date 3/7/02 |
| REQUEST FOR CORRECTED FILING RECEIPT | | Attorney Docket ABGX001CON3 |
| Address to: Commissioner for Patents Washington, D.C. 20231 | | First Named Inventor Jakobovits et al. |
| | | Application Number 09/718,717 |
| | | Filing Date November 22, 2000 |
| | | Group Art Unit 1636 |
| | | Examiner Name Unassigned |
| | | Title Generation of Large Genomic DNA Deletions |

Sir:

A filing receipt for the above-identified patent application has been issued by the U.S. Patent and Trademark Office (copy attached) and has been found to contain the following error(s):

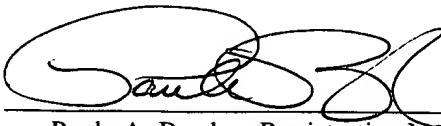
- (1) The Continuing Data as claimed by Applicant should read –This application is a CON of 09/348,747, 07/06/1999, ABN; Which is a CON of 08/808,139, 02/28/97, PAT 5,998,209; Which is a CON of 08/426,555, 04/21/1995 ABN–

A copy of the Certificate of Correction from 08/808,139, 02/28/97, PAT 5,998,209 is enclosed to support the Request to Correct Filing Receipt.

If for any reason a fee is found to be necessary, the Commissioner is authorized to charge such fee to Deposit Account No. 50-0815.

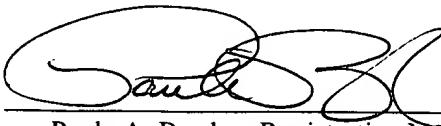
Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

By:


Paula A. Borden, Registration No. 42,344

Date: Mar. 7, 2002

By:


Paula A. Borden, Registration No. 42,344

BOZICEVIC, FIELD & FRANCIS LLP
200 Middlefield Road, Suite 200
Menlo Park, CA 94025
Telephone: (650) 327-3400 Facsimile: (650) 327-3231



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| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE RECD | ATTY.DOCKET.NO | DRAWINGS | TOT CLAIMS | IND CLAIMS |
|--------------------|-------------|--------------|--------------|------------------|----------|------------|------------|
| 09/718,717 | 11/22/2000 | 1636 | 790 | ABGX- 001CON3 | 5 | 15 | 4 |

CONFIRMATION NO. 5842

CORRECTED FILING RECEIPT



OC000000006328665

Bret E Field
Bzicevic Field & Francis LLP
200 Middlefield Road Suite 200
Menlo Park, CA 94025

Date Mailed: 07/23/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

- ✓ Aya Jakobovits, Menlo Park, CA;
- ✓ Hirohisa Tsuda, Kanagawa, JAPAN;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF 09/348,747 07/06/1999 ABN
 WHICH IS A CON OF 08/808,139 04/16/1997 PAT 5,998,209 ✓ *young fil*
 WHICH IS A CON OF 08/426,555 04/21/1995 ABN ✓

Foreign Applications

This Application is a CON of 09/348,747 07/06/1999 ABN
 which is a CON of 08/808,139 02/28/97 PAT 5,998,209,
 which is a CON of 08/426,555 04/21/1995 ABN

If Required, Foreign Filing License Granted 03/13/2001

Projected Publication Date: N/A

Non-Publication Request: No ✓

Early Publication Request: No ✓

Title

✓ Generation of large genomic DNA deletions

EP 8/2
DOCKETED

Preliminary Class

Data entry by : STOKES, TUSHOMBE

Team : OIPE

Date: 07/23/2001



**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

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PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 500 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 5,998,209
DATED : December 7, 1999
INVENTOR(S) : Ava Jokobovits and Hirohisa Tsuda

Page 1 of 1

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Please delete "Apr. 16, 1997" as the date the application was filed to the correct date of filing -- February 28, 1997 --.



Attest:

Virginia Tolbert

Attesting Officer

Signed and Sealed this

Second Day of October, 2001

Nicholas P. Godici

NICHOLAS P. GODICI
Acting Director of the United States Patent and Trademark Office



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| APPLICATION NUMBER | FILING DATE | FIRST NAMED APPLICANT | ATTY. DOCKET NO/TITLE |
|--------------------|-------------|-----------------------|-----------------------|
| 09/718,717 | 11/22/2000 | Aya Jakobovits | ABGX-001CON3 |

1636

CONFIRMATION NO. 5842



Bret E Field
Bozicevic Field & Francis LLP
200 Middlefield Road Suite 200
Menlo Park, CA 94025

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OC000000007780806*

APR 11 2002

TECH CENTER 1600/2900

Date Mailed: 04/03/2002

RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

Claims, Fees, and Inventors

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

- The total number of claims appearing on the Filing Receipt does not include multiple dependent claims. The total fee appearing on the Filing Receipt includes the cost of multiple dependent claims that were present at the time the application was filed.
- The filing fee is correct. It may include additional claims fees and/or the surcharge under 37 CFR 1.16(e) for filing an oath/declaration or basic filing fee after the application filing date; or it may not reflect fees refunded to the applicant that were paid by mistake.
- The number of claims reflected on the filing receipt is correct. Upon review of the claims, it was found that there was a miscalculation by the applicant. This may be due to improperly presented multiple dependent claims, typographical error, misnumbering of the claims, or other oversight. An amendment may be necessary to correct the problem.
- The filing fee reflected on the filing receipt is correct. Applicant may have miscalculated the fees due.
- Applicant calculated fees as other than small entity; however, applicant asserted small entity status in the application. Therefore, fees were applied as small entity and the remainder was refunded to the applicant.
- The difference between the fees paid and the fees due was refunded to the applicant and will not be shown on the filing receipt.
- The inventor information may be truncated if the family name consists of more than 50 characters (letters and spaces combined) and if the given name consists of more than 50 characters (letters and spaces combined).

- The inventor's residence allows for up to 40 characters (letters and spaces combined).
- The inventor's residence will only include the city and state for U.S. residences or city and country for residences outside the U.S. (See MPEP 605.02).
- A petition to correct the inventorship is needed to make this change. See 37 CFR 1.48. For non-provisional applications, the petition should be directed to the Director of the examining group assigned to your application.
- Changes made after submission of an executed declaration to the inventor information other than correction of typographical errors must be submitted in the form of a substitute declaration. Change of inventorship requires a petition under 37 CFR 1.48.
- The number of drawings shown on the filing receipt reflects the number of drawing sheets submitted and is not necessarily equal to the number of figures submitted.
- The correspondence address was captured as directed by applicant on filing. If you wish correspondence to be directed otherwise, please submit a request for a change of address.
- The docket number allows a maximum of 25 characters.
- The person signing on behalf of the deceased inventor is reflected on the Filing Receipt as the legal representative.

The filing date of a parent application cannot be changed by this request. A petition to correct the filing date in the parent application is required.


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